

## RECORDS CLEARED AFTER MANY YEARS

Escutcheons of Two War Veterans Made White Again by House.

Washington, July 14.—Two escutcheons were cleared of stains in the House of Representatives yesterday, when the military records of two civil war veterans were purged of charges which looked ugly enough on paper, but which seem to have little foundation after the two great armies have been at peace for half a century and the mistakes of those early days have begun to be rectified. The records of John Trevelyan and John J. Troxell were displayed on the floor of the House, and after considerable discussion, were made pure white again.

John Trevelyan was captain of C. Company, fifty-sixth Pennsylvania Volunteers. He raised the company himself. He and his men saw fighting. Trevelyan is now more than eighty years old, near the end of the journey. As he expressed it in a letter read before the House yesterday, he was discharged because of "lack of action in the face of the enemy," after the retreat from Culpeper. Now, after half a century, his claim that he fell ill and was being treated in a hospital has been received with favor.

Early in the spring of 1862 his regiment was ordered to Washington, and from there became part of Gen. McDowell's corps, King's division, Doubleday's brigade, and later became part of Gen. Pope's command. In the retreat from Culpeper the regiment and its aid of fighting, and when Capt. Trevelyan arrived near Washington his clothes and all belongings had been seized by the enemy and burned. The men had been eating anything they could lay their hands on, and subsequently the habit of eating anything and snatching an ear of corn, eating it green without cooking, laid the captain low and caused his dishonorable discharge.

The regiment was ten miles from Washington when Capt. Trevelyan was ordered to go to the capital and buy a few necessities. The colonel of his regiment had been wounded, and Lieut. Col. Hoffman was in command. This officer promised Trevelyan a horse so that he could get back in time, the last of the line expiring that night. The pass had to be countersigned by the brigade commander, and it took Trevelyan several hours to find him. Also the promised horse did not make its appearance, and Trevelyan had to walk to the city. His horse, which he made his purchases, felt weak, went to the old Prescott Hotel and went to bed. His pass had expired, and he was too sick to care. A doctor from some hospital visited him in the morning and ordered him to remain in bed, and furnished him with a certificate of his illness. Three days later, when Captain Trevelyan reported to Lieutenant-Colonel Hoffman, the latter, according to the record produced in the House yesterday, refused to look at him, and the young officer was charged with being absent without leave. Other complications were added because Trevelyan, like scores of other volunteer officers at that time, knew little of military etiquette and discipline, and failed to make some of the proper reports on time. When he faced the court-martial he was so surprised he made little or no defense, and the court ordered him discharged from the company he had recruited.

This wrong was righted yesterday without a dissenting vote. The mud of Elk River, Tenn., were the primal causes of the black stain upon the record of Lieutenant John J. Troxell, fifty-second Regiment, Ohio Volunteers. Troxell was acting quartermaster on or about September 1, 1862, and as such was in charge of wagon trains. In crossing the river near Elkton, Tenn., some of the mules lost their sense of loyalty to the Stars and Stripes, and, refusing to budge, became hopelessly stalled. The road was narrow, and the mules blocked the progress of the entire army.

Just at the moment when men, officers and mules were in a frenzy of bawling, kicking, cursing and swearing, up rode General Dan McCook, of the elite "Fighting Mares," and he took a look at the situation and mixed into it himself with considerable heat. He and Lieutenant Troxell became embroiled in a violent altercation, while the mules looked on. General McCook jumped into Troxell and called him a "big, fat, old man." He had such effect on the mules, for a few minutes later the army was in motion. Troxell had nothing to do with the mules' head-bobbing, but evidently General McCook bore him a grudge, for a few days later he sent for Troxell and began giving him more of the same treatment. Lieutenant Troxell, says the record produced in the House, protested and said he would be forced to send in his resignation to preserve his self-respect.

The record shows that General McCook ordered the lieutenant to hand in at once, which was done, and Troxell left the regiment. He had no written discharge, and in attempting to pass beyond the line was stopped by a Union officer and sent back to McCook, who in his turn asked Troxell again and said "he'd see who was the superior officer." Troxell eventually was passed through the line.

All of this time the resignation which he handed into General McCook had not been accepted and never was accepted. Troxell asked that it be accepted, and never knew the difference until 1870, when in response to an inquiry at the War Department, he found that McCook had preferred charges and that he had been discharged on the ground that he was drunk.

The House listened to considerable testimony on this case, and after Representative Slavens of Texas, had asked to get the matter out of the mud was desisting of a decision, the House cleared the stain from this record without a dissenting vote.

If there ever is a time when you are justified in cursing,  
It is when the summer weather sets your appetite to fussing;  
But there isn't any need to risk your soul and shock the neighbors—  
Tempt your appetite with Toasties and go singing to your labors.

"Berry's for Clothes"



Plain colors with fancy socks, but fancy stripes have again gained a foothold and of course our New York resident buyer has sent us some samples, colors to match the neckwear.

Socks, like everything else we sell are guaranteed, but we don't charge you 10c a pair for the guarantee.

Prices from 25c to \$2.  
Good silk at 25c.  
Real silk, 50c up.  
Shoes that show 'em off well,  
\$3.50 to \$6.50.

*O. H. Derrig*

## RECORDS MADE AT FORT RILEY

Officers Attending Field Artillery School Receive Good Assignments.

Reports received here from officers attending the Field Artillery School at Fort Riley, Kansas, state that the Virginia officers, along with those from New York have been placed in the senior class or section, and that in the several departments of instruction they have been assigned to some of the most important work in connection with the school. Those attending from Virginia are: Captain W. C. Lieutenants Pollard, Reese, Wood and Myers, of this city. Lieutenants Eberhard, of the Norfolk, Lieutenants Laute and Ditt, of the Portsmouth.

Immediately upon their arrival, Lieutenant Eberhard was detached for permanent duty with the regular battery camped with the school. He has these duties in addition to the school work. Lieutenant Pollard had this last year and since there are only four lieutenants from all the militia officers selected, a Virginia man has again been chosen. Lieutenants Wood and Pollard are assigned to other sections as assistant instructors besides their duties with the senior sections. Lieutenants Laute and Ditt are assigned to cook and farriers, which is permanently located at Fort Riley. Captain W. C. has as extra duty, a quiz class going between the regular school hours. Captain W. C. and the others have been making panoramic sketches and drawing maps to scale. Only ten minutes is allowed for this work in the field.

The officers of the celebrated Washington Artillery, of New Orleans, which was connected with the Army of Northern Virginia, are there. Those veterans are the only ones who were just as the old Howitzers do, and the officers at Fort Riley are of course members of the active organization. It is reported that the weather is hot and that it is very dry, but that the nights are cool. The most interesting of the cooking school is said to be excellent. The men are working hard and are in the best of health.

## NORFOLK MAKES IT NINE TO THREE

Play-Off of Tennis Matches in Intercity Series With Washington.

[Special to The Times-Dispatch.]  
Norfolk, Va., July 14.—In the play-off of the intercity tennis matches between Washington and Norfolk, which the rain interrupted yesterday afternoon, the Norfolk team today made it nine to three. The locals made a clean sweep in the doubles, capturing all four matches. Of the three matches in the singles, which were completed today, Washington won one and lost two.

Singles, incomplete matches of Saturday—J. Saunders Taylor (Norfolk) defeated Al Howard (Washington), 6-2, 6-3.

Walter H. Taylor, Jr. (Norfolk) defeated L. P. Doyle (Washington), 6-2, 6-3.

Walter Dunlop (Washington) defeated Charles Tunstall (Norfolk), 6-1, 4-6.

Doubles—H. G. Whitehead and J. Saunders Taylor (Norfolk) defeated Harold E. Doyle and Lee McClung (Washington), 6-3, 6-2.

Nat. C. Bundy and C. P. McIntosh (Norfolk) defeated L. J. Doyle and Al Howard (Washington), 6-4, 5-7, 4-3.

Walter H. Taylor, Jr. and Richard Tunstall (Norfolk) defeated John Graves and Walter Dunlop (Washington), 6-2, 6-3.

Washington Reed and M. A. Agelashin (Norfolk) defeated Arthur Hellen and L. A. Fasher (Washington), 6-2, 6-3.

There is a time when you are justified in cursing,  
It is when the summer weather sets your appetite to fussing;  
But there isn't any need to risk your soul and shock the neighbors—  
Tempt your appetite with Toasties and go singing to your labors.

Written by W. J. MUSGROVE,  
Tempe, Ariz.

One of the 50 Jingles for which the Postum Co.,  
Battle Creek, Mich., paid \$1000.00 in May.

## HOUSE OF LORDS SETTLES CASE

Marrying "Deceased Wife's Sister" Finally Is Upheld.

London, July 14.—The great "deceased wife's sister" case, which has been before the courts since 1907, was settled finally by the House of Lords, which dismissed Canon Thompson's appeal against the decision of the court of archbishops admonishing him for refusing holy communion to Mr. and Mrs. A. N. Banister, of Norwich, on the ground that they were "open and notorious evil livers."

Canon Thompson, as vicar of Eaton, in the Diocese of Norwich, had among his parishioners Mr. and Mrs. Allen Neville Banister. Mr. Banister married his deceased wife's sister, a Miss Peterson, in Montreal, Canada, on August 12, 1907, having traveled from England for that purpose. The act legalizing marriage with a deceased wife's sister in England came into operation on August 25 of the same year, and was retroactively applied. The vicar's refusal to communicate Mr. and Mrs. Banister was after their return from Canada in October.

Mr. and Mrs. Banister obtained a decision in the archbishop's court of Canterbury that the refusal was illegal. The vicar then sought to obtain a writ prohibiting Sir Lewis Dilling, the dean of arches, from issuing his prohibition warning the vicar to abstain in the future from refusing the sacrament to Mr. and Mrs. Banister, but the divisional court by a majority refused the writ, and their decision was affirmed by the court of appeals.

The Earl of Halsbury read the judgment of Lord Loreburn, in the court of appeal, in which the following passages occur:

"The lawful cause alleged in this clergyman's responsive plea is that Mr. and Mrs. Banister, by reason of their affinity being notorious, and of their open and notorious cohabitation as husband and wife, were, and are, open and notorious evil livers, so that the court of law should refuse to give effect to the marriage, and thereby offend within the meaning of the public preface to the order of administration of the Lord's Supper or Holy Communion in the Book of Common Prayer."

"I regret that this plea was placed upon the record. It is inconceivable that a court of law should allow a lawful cause the collaboration of the dean of arches, who is directly sanctioned by act of parliament, and is as valid as any other marriage within the realm."

"I entirely concur with this judgment of the late lord chancellor," said Lord Halsbury yesterday.

"I am unable to see any room for a narrow view of this case," said Lord Ashbourne. "Although I am sure that the appellant is widely respected, and conscientious considerations, the public in the communion service, which has statutory sanction, provides that if any one who intends to be a member of the holy communion be an open and notorious evil liver, or have done any wrong to his neighbor by word or deed, so that the congregation be hereby offended, the clergyman may refuse him."

"Under the statutes of Henry VIII, marriage with a deceased wife's sister was declared to be prohibited by God's law, and to be illegal and void. But a serious change was effected in 1906 by the colonial marriages (deceased wife's sister) act, which enacted that marriages of this kind between persons domiciled in a colony where such marriages were legal should be legal for all purposes within the United Kingdom."

"In 1907, after many years' discussion and controversy, the act now in question was passed. It is impossible to conceive language more clear and unambiguous than is found in the first section. The effect of this was to make such a marriage lawful for all purposes, entitled to be recognized as such within the realm or without, and that without stint of qualification. It is impossible to see any room for doubt that the effect of section 1 was to remove such marriages from the statutes of Henry VIII, and to make the description of 'open and notorious evil livers' entirely inapplicable to those who came within its provisions. Such a marriage of unimpeachable legality could not be a 'lawful cause' under the statute of Edward VI."

Lord Macnaghten and Lord Atkinson said they concurred in the appeal being dismissed, and the lord chancellor, who said the appeal should be dismissed with costs. The motion was agreed to.

## At the Hotels

Lexington Hotel.—W. B. Millard, Oxford, Md.; H. H. H. C. J. R. Loomis, Newport, N. H.; A. Howard, A. Dyer, Petersburg, Va.; E. P. Whelan, Whitman, Va.; E. W. Vick, Roanoke, Va.; J. W. Harrison and wife, Waycross, Ga.; J. A. Reynolds, wife and daughter, Danville, Va.; H. C. Giles, Charlotte, Va.; J. A. Blackstone, Va.; W. S. Wood, Indianapolis, Ind.; J. A. Norment, Charlotte, N. C.; R. Byrd, N. C.; Jno. D. Bryan, Greenville, Tenn.; B. R. Mitchell, Greenville, Tenn.; J. B. Casey, Lynchburg, Va.; J. Gregory, Lexington, Ont.; W. T. Gregory, Lexington, Ont.

Hotel Sumner.—P. M. Streuch, Raleigh, N. C.; A. D. Linberg, Millboro, N. C.; B. H. Burroughs, S. C.; C. P. Kuch, Boston; J. H. Mahler, Durham, N. C.; Plummer, Petersburg, Va.; A. F. Howard, Farmville, Va.

DORRY PENDER, JR., DIES AT SEA.  
Son of Norfolk Lawyer Expires While En Route to America.

[Special to The Times-Dispatch.]  
Norfolk, Va., July 14.—A wireless message has been received announcing the death from hemorrhage of the brain of W. Dorsey Pender, Jr., nineteen years old, son of Attorney W. D. Pender, of this city. The young man died on a steamer en route from Paris to New York, and the body was buried at sea. He had been to school in Paris and expected to enter Yale next fall. He was being accompanied by his mother, and before the message was received his father had left for New York to meet his wife and son.

Wife Charges Non-Support.  
Frank Crawford, twenty-two years old, a tinner, was arrested yesterday morning on a warrant sworn out by his wife charging him with failing to provide for her.

## Mid-Summer Sale

OF  
Used Pianos  
Piano-Players  
AND  
Grand Pianos

BIG DISCOUNTS FROM ORDINARY PRICES.

Several NEW \$250.00 Upright Pianos of good, reliable make, priced at \$198.00 for this sale. \$1.00 cash and \$1.00 weekly.

*The Corley Company*

Successors Cable Piano Co.  
213 East Broad Street.

WIDER SIDEWALKS  
FOR BROAD STREET

Chamber of Commerce to Debate Proposition This Afternoon.

A joint meeting of the Chamber of Commerce, City and Municipal Affairs, has been called for this afternoon at 4:30 o'clock for the consideration of the proposition of widening the sidewalks on Broad Street. For reasons explained by the chairman at the last meeting of the Board of Directors, the Committee on Streets, Roads and Parks, to which the matter was originally referred, reported unfavorably. After some discussion by members of the Board it was decided to receive and die the report, and refer the question to the joint committee.

Members of the Chamber and all others who are interested either for or against the proposed change, are requested to appear before the committee, as it is the desire of the Chamber to get all the light possible on the subject. If possible to reach a conclusion, a recommendation will be made to the Council Committee on Streets and a Committee named to appear before it tomorrow night.

BRICKS IN EVIDENCE

Ambulance Twice Called to Treat Injured Negroes.

Charles Johnson, colored, was arrested yesterday on the charge of assaulting a white woman, colored, with a brick. Johnson attacked Hicks during the forenoon at Sixth and Clay Streets. In the struggle it was said a revolver was discharged. Hicks received a scalp wound and was treated by Dr. H. A. Bullock, ambulance surgeon of the City Hospital.

Booker Hash, colored, was also hit in the head with a brick yesterday at Adams and Canal Streets by a man said to be Charles Archer, colored. He was treated by Dr. Bullock. Archer was not arrested.

THE WEATHER.

Forecast: Virginia—Unsettled and continued warm Monday and probably Tuesday.

North and South Carolina—Local showers Monday and probably Tuesday.

Special Local Data for Yesterday:

12 noon temperature..... 92  
3 P. M. temperature..... 92  
Maximum temperature..... up to 92

P. M. minimum temperature..... 92  
Minimum temperature..... up to 92  
P. M. minimum temperature..... 92

Mean temperature..... 92  
Normal temperature..... 79  
Excess in temperature..... 13

Barometer in temperature..... 166  
March 1st in temperature..... 166  
Accum. deficiency in temperature..... 538

Rainfall last twenty-four hours..... 0.58  
Excess in rainfall since March 1st..... 1.79  
Accum. excess in rainfall since January 1st..... 1.92

Local Observations S. P. M. Yesterday:

Temperature..... 81  
Humidity..... 81  
Wind direction..... South

Wind velocity..... 10  
Weather..... Clear  
Rainfall last twenty-four hours..... .04

CONDITIONS IN IMPORTANT CITIES.  
(At 8 P. M. Eastern Standard Time.)

Place..... Ther. H.T. L.T. Weather

Asheville..... 70 84 68 P. cloudy  
Baltimore..... 76 88 76 P. cloudy  
Atlanta City..... 71 75 75 Cloudy

Boston..... 70 82 55 Cloudy  
Buffalo..... 78 80 74 P. cloudy  
Calgary..... 70 73 61 P. cloudy

Chicago..... 73 84 76 Rain  
Charlotte..... 88 90 74 Clear  
Cincinnati..... 69 82 69 P. cloudy

Duluth..... 84 84 64 Cloudy  
Galveston..... 84 88 82 Clear  
Hatteras..... 80 86 80 Clear

Havana..... 68 76 47 Clear  
Jacksonville..... 80 88 76 P. cloudy  
Kansas City..... 90 96 78 Clear

Louisville..... 85 91 75 Clear  
Montgomery..... 84 92 72 P. cloudy  
New Orleans..... 78 82 50 P. cloudy

New York..... 72 84 74 Cloudy  
Norfolk..... 80 92 78 Clear  
Oklahoma..... 90 91 76 Clear

Pittsburgh..... 82 90 74 Clear  
Raleigh..... 83 90 75 Clear  
St. Paul..... 88 92 74 Clear

St. Louis..... 84 92 72 P. cloudy  
San Francisco..... 64 66 56 Clear  
Savannah..... 80 86 78 Cloudy

Spokane..... 80 86 52 Clear  
Tampa..... 78 88 78 P. cloudy  
Wash. D. C..... 68 84 68 Rain

Wilmington..... 82 90 72 P. cloudy  
Wynneville..... 73 88 68 Cloudy

MINIATURE ALMANAC.  
July 15, 1912.  
Morning..... 4:50  
Sun rise..... 5:02  
Sun set..... 7:53

Evening..... 5:18

## EXPRESS RATES MUST UNDERGO BIG REDUCTION

(Continued From First Page.)

New Avenues of Trade.

Commissioner Lane expresses the belief that the system proposed will make practically the opening of direct avenues of trade between the farm and the city household. He, likewise, is of opinion that while the reduction of the rates on the heavier weight parcels will average between 25 and 30 per cent, the express companies themselves will be the beneficiaries of a large increased business in the handling of small parcels.

The report states that more than 500,000,000 parcels are handled annually by the express companies in the United States. The average household of five persons in this country, either by direct delivery or by express in the course of the year, from 10 to 15 packages. The average weight of these packages is 24 pounds; the average express charge is 25 cents; and the average haul is 200 miles. It appears that a very small proportion of the express traffic of the country results from direct shipments from the farm to the city home.

Commissioner Lane carried his investigation into the express business of several European countries. In those countries where the parcels post system has developed traffic in small packages, the lighter weight packages were found to predominate. It was indicated that in foreign countries the household received few parcels weighing more than ten pounds per shipment. The commission believes that in the United States the express traffic in food commodities is chiefly between the producer and the commission merchant, and that the rates appear to have been constructed with a view to fostering and encouraging the growth of that traffic at the expense of the light package traffic.

The investigators have devoted a year to the constructive work of reforming the bases of express rates, and believe that the new rates will be simpler and more easily understood than the existing rates, and of preparing new rules for the government of carriers of express traffic.

Through Routes and Rates.  
Of foremost importance is the requirement that all of the express companies shall join in the establishment of through routes by the quickest lines of communication between all express offices and shall publish through rates to apply between those points. The same provision gives the shipper the right to name the route by which his parcels shall be carried. It is believed by Commissioner Lane that these provisions will effect an improvement in the service, and a great economy to the carriers, which now haul shipments oftentimes by circuitous routes to avoid turning them over to a connecting line.

The most radical departure from existing methods was in that adopted of applying the new rates. In the United States there are 35,000 express stations and many rates from each of these to every other one require an adjustment of more than 60,000,000 different rates. These schedules now occupy several hundred volumes of from 200 to 300 pages each in the tariff department of the commission. The rates themselves are intricate and involved, and require expert authority to determine the lawful rate between any two points.

The problem of reducing this enormous volume of rate schedules to a genuinely practicable compass is one to which Commissioner Lane devoted most of his attention. He has evolved a method whereby the rates from any point in the United States to all other points may be printed on a single sheet or card about one-fourth of the size of a single newspaper page.

Under the new plan, the rates from any point in the United States to all other points may be printed on a single sheet or card about one-fourth of the size of a single newspaper page.

The first step in the consummation of the plan was the division of the United States into blocks, each approximately 20 miles square. Rates are proposed between each of these blocks, treating all cities and towns within each block as common points. Each of these blocks is one degree of longitude in length and one degree of latitude in width. To every express station within each of these blocks the rate is the same from any other given block. Thus the rate is stated as between blocks rather than as between cities. Supplementing this block system of making rates, which constitutes each block a zone of origin or of destination, the rates are stated for each package weighing from 1 to 100 pounds. The express companies will be required to publish a directory of express stations which will show the block number within which each station is located, and at each station there will be filed a single-sheet tariff which will give the rate from that station to all other blocks in the United States.

To illustrate: New York City is located in block 552. Some twenty other towns and villages are included in that same block. Chicago is located in block 335, which also contains a score or more of cities and towns. A shipper in New York wishing to send a package to Chicago will learn from the directory the block in which Chicago is situated. Then, turning to the single tariff sheet, he will ascertain the number of the scale of rates, which applies upon all packages between block 552 and block 335.

Free Method Confusing.  
This method of stating rates, the report claims, will avoid the great body of complaints arising out of undercharges and overcharges, the present method of stating rates being so confusing.

On every question except that of rates a substantial agreement has been reached between the commission and the companies. The latter express their willingness to conform to the business operations to any requirements the commission might make; but they expressed anxiety concerning any serious reduction of their rates lest it might seriously affect their revenues.

Commissioner Lane makes a vigorous attack in his report upon the so-called scale of graduated charges by which the express companies now determine the rate which shall apply to a package of a given weight. This scale is held by the commission to be unreasonable, discriminatory and arbitrary. The report says:

"It is the product of years of

Gold Medal  
London, 1911  
Largest Sale HIGH-GRADE Tea in World

As an  
Iced Beverage

Ridgways Tea is delightful, refreshing, satisfying.  
Brew with hot water—serve in glasses with tinkling cracked ice and sliced lemon. Sweeten to taste.  
Sealed air-tight, pound, half pound and quarter pound packages only. Ridgways Popular Grade "5 O'Clock"  
75c. a pound.

All High-Class Grocers  
Order Trial Package  
TO-DAY!

**Ridgways  
TEA**

C.W. ANTRIM & SONS, Distributors.

confusing that not even the express agents are able to discover the lawful rate between two points. The directory of express stations is also to within which the express company gives service upon its tariff rates.

It is found that the large number of double collections of express charges arises out of the fact that a package which has been prepaid does not bear sufficient evidence in this fact. Accordingly the report presents a set of labels and way bills in different colors, which the carriers are required to use, and in the event that the package does not bear any label the shipment is to be delivered to the consignee without collection of any charges, the carrier bearing the burden of discovering where the mistake lies.

The present system requires the statement of about 500 times as many rates as the system proposed by the commission. However, as each agent, under the new system, will be obliged to know only the rates that apply to his own station and each of the other blocks, he will have to consult only 350 rates to find the proper charge from his station to every other station within the United States.

Through this system the common rate area on short hauls is reduced from an area of about 3,500 square miles, which is the average area of 150 square miles. The present express rate methods embrace much larger common rate areas.

For instance, the rate per hundred from Boston, New York, Philadelphia, Baltimore, Washington and Richmond to Seattle, Tacoma, Portland, San Francisco, San Diego, Reno, Sacramento and many other points embraced in the region west of the Sierra and Cascade Mountains, is now the same—\$1.50. Under the commission's system, the rates will vary with the distance between any two points, from \$0.35 to \$1.10 a hundred pounds.

Uniform Reduction.  
While there has been an almost uniform reduction in charges upon parcels weighing fifty pounds or less, the rates on packages weighing more than fifty pounds have not been materially reduced. In some instances the commission's proposed rate basis shows a slight increase of the charges on heavy packages. This indicates the belief of the commission that the rates of the express companies per 100 pounds are not, on the whole, seriously excessive. This is particularly manifest from an analysis of the rates for distances of 200 miles or less, which are scarcely distributed on the heavy-weight traffic.

By the terms of the commission's order, the changes in the regulations, methods and practices of the express companies, the reclassification of existing rates, the changes in the bill of lading of packages, and other administrative reforms are required to be put into effect practically immediately.

The rates proposed, however, will not become effective before some time next autumn. The commission has fixed October 5 as the date for the beginning of a hearing of the representatives of express companies and shippers as to why the rates prescribed by the commission should not go into effect.

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Commissioner Lane makes a vigorous attack in his report upon the so-called scale of graduated charges by which the express companies now determine the rate which shall apply to a package of a given weight. This scale is held by the commission to be unreasonable, discriminatory and arbitrary. The report says:

"It is the product of years of

shrewd manipulation, has no justification in the minds of the express men themselves, and is the richest example yet brought to our attention of a tariff based exclusively upon the theory that the charge should be what the traffic will bear."

With respect to the standard of rates, the commission says:

"What, then, may be said to be the standard of a reasonable express rate? The answer is, No one consideration. The conclusions, however, we have reached:

1. That express rates should be made primarily to meet the needs of the body of our people, and should therefore be stated in terms that represent the small packages which the express company is intended to carry, rather than by the 100 pounds (freight rates are stated).

2. That in the fixing of its rates, an express company should not be allowed to charge more than a railroad company if the latter undertook to, and did, give the same service.

3. That it is proper for the government to treat the express company as a freight forwarder by passenger train, giving supplemental service at each terminal, and intermediate points.

4. That an express rate may not be based upon the monopoly right of the express company to be the exclusive freight forwarder over one or more lines of railroad.

5. That the rate should not include more than a reasonable compensation for the service given, even though such compensation falls below that which the railroad exacts as a minimum for the carriage of 100 pounds of freight.

6. That it is unreasonable to fix a rapid decline in express rates for long distances as is made by the railroads in their freight rates, express rates in this respect being more analogous to passenger than to freight service.